

DISTRICT OF COLUMBIA COURT OF APPEALS

<u>FY 2005 Enacted</u>		<u>FY 2006 Enacted</u>		<u>FY 2007 Request</u>		<u>Difference FY 2006/2007</u>	
<u>FTE</u>	<u>Obligations</u>	<u>FTE</u>	<u>Obligations</u>	<u>FTE</u>	<u>Obligations</u>	<u>FTE</u>	<u>Obligations</u>
94	8,952,000	94	9,198,000	94	9,529,000	-	331,000

The District of Columbia Court of Appeals is the highest court of the District of Columbia. The Court consists of a Chief Judge and eight Associate Judges. The Court is assisted by the service of retired judges who have been recommended and approved as Senior Judges. The cases before the Court are determined by randomly selected, three judge divisions, unless a hearing or rehearing before the Court sitting *en banc* is ordered.

As the court of last resort for the District of Columbia, the Court of Appeals is authorized: (1) to review all final orders and judgments, as well as specified interlocutory orders, of the Superior Court of the District of Columbia; (2) to review decisions of administrative agencies, boards, and commissions of the District government; and (3) to answer questions of law certified by the Supreme Court of the United States, a Court of Appeals of the United States, or the highest appellate court of any state. The Court also: (1) is responsible for attorney admissions and discipline; (2) manages the resolution of complaints of unauthorized practice of law; (3) promulgates its own rules and the rules of professional conduct for members of the District of Columbia Bar, and (4) reviews proposed rules of the D.C. Superior Court.

Organizational Structure

The Clerk's Office of the Court of Appeals is divided into five components: the public office, case management, the immediate office, the staff of the Committee on Admissions and the Committee on the Unauthorized Practice of Law, and the administrative staff. Functionally, these components are involved in three major activities: case processing, bar admissions and unauthorized practice of law matters, and administration.

- Public Office - The public office is responsible for receiving and docketing all incoming papers and pleadings, maintaining the official case files, receiving and answering telephone and in-person inquiries, providing internal mail service and staff support for courtroom operations. This office currently has 12 FTEs.
- Case Management Division - The case management division oversees the processing of cases prior to calendaring for argument or submission without argument. The process includes all motions matters, establishment of briefing schedules and oversight of all deadlines and of matters that are expedited by order of the court. The division reviews all incoming motions and pleadings, and prepares proposed orders, sua sponte or in response to motions filed by the parties, for approval by the Clerk, Chief Judge, or a motions division (three judges). Attorneys in the division provide legal analyses and recommended dispositions in substantive motions and emergency matters and matters brought under the court's original (e.g., mandamus) and discretionary jurisdiction (e.g.,

small claims and interlocutory matters). This division currently has 14 FTEs.

- Immediate Office - The immediate office, which includes the Clerk and the Chief Deputy Clerk, is responsible for the general administration of the Clerk's Office; coordination of the processing of appeals after briefing such as calendaring, case screening, and the processing of motions and orders in calendared matters; coordination of the issuance of opinions and mandates, petitions for rehearing and/or rehearing *en banc*; the processing of bar-related disciplinary, admissions, and unauthorized practice of law matters; the processing of vouchers submitted by attorneys appointed under the Criminal Justice Act and the Counsel for Child Abuse and Neglect Program; and the preparation of court statistics. This Office currently has 7 FTEs.
- Committee on Admissions and the Committee on the Unauthorized Practice of Law - The staff of the Committee on Admissions and the Committee on Unauthorized Practice of Law administers the Bar examination; processes applications for admission to the Bar by examination and motion, applications for authorization to practice as special legal consultants, applications by law students to practice under D.C. App. R. 48 and motions to appear *pro hac vice*; collects admissions and related fees; provides staff support for the investigation of complaints against unauthorized persons practicing law; and provides support to the two committees, which ensure that local legal needs are met by properly qualified and licensed attorneys. The Office currently has 6 FTEs.
- Administrative Office - The administrative staff is responsible for the provision of personnel, data processing, telecommunications, library, financial, procurement, and facilities management services for the Court. This Office currently has 7 FTEs.

Organizational Objectives

- Strategic Plan: Enhancing the Administration of Justice

Goal 1.1: The Courts will administer justice promptly and efficiently.

Strategy 1.1.5: Develop processes and systems that ensure administrative efficiencies and utilize best practices.

Management Action Plan (M.A.P.): Ensure appropriate and timely processing of appeals by developing and implementing practices and internal procedures consistent with the new rules of procedure.

- Strategic Plan: Enhancing the Administration of Justice

Goal 1.3: The Courts will ensure informed judicial decision-making.

Strategy 1.3.1: Provide accurate, timely, and complete information to judges, court personnel, and other court participants.

Management Action Plan (M.A.P.): To review and revise, as appropriate, time standards for responding to requests for information and documentation, docketing information submitted for appeal purposes, case processing and implementing quality assurance

review throughout the operations unit (Intake and File Room) to ensure that new cases, pleading, motions, records on appeal, transcripts, etc. are all processed promptly and efficiently by staff.

- Strategic Plan: Promoting Competence, Professionalism and Civility
Goal 3.2. The Court will maintain a positive work environment that fosters high achievement and satisfaction among judges and court personnel.
Strategy 3.2.1: Implement programs, policies, and initiatives to enhance employee performance, satisfaction, and retention.

Management Action Plan (M.A.P.): Establish an in-house, on-going training program regarding the legal process, in general, and appellate procedure, in particular.

- Strategic Plan: Building Trust and Confidence
Goal 5.3: The Courts will be responsive to the community.
Strategy 5.3.1: Solicit input from court participants and the public regarding the Court's operations and performance.

Management Action Plan (M.A.P.): To identify issues of concern to court participants and ways to improve service to them.

Workload Data

The Court of Appeals tracks its workload and performance for two major categories of activities: (1) cases processing and (2) bar admissions and related activities. Case processing performance indicators include (1) the case clearance rate, or the ratio of cases disposed to cases filed in a given year; and (2) the reduction of cases pending at the end of the year. Factors including the number of case filings, number and types of dispositions, cases pending, time involved in various stages of the case process, and types of cases pending are used in assessing staffing needs.

Table 1
**District of Columbia Court of Appeals
Caseload and Efficiency Measures
Case Processing Activity**

Fiscal Year	Cases Filed	Cases Disposed	Case Clearance Rate*	Cases Pending	Motions and Petitions Filed
2003	1,515	1,736	115%	2,237	7,338
2004	1,689	1,711	101%	2,478	6,544
Difference	+11%	-1%	-14%	-9%	-11%

*Ratio of cases disposed to cases filed in a given year. A 100% case clearance rate means one case disposed for each case filed.

Table 2
District of Columbia Court of Appeals
Caseload and Efficiency Measures
Bar Admissions Activity

Fiscal Year	Bar Admission Applications Received	Multistate Bar Exam Score Transfer Requests Processed	Certificates of Good Standing Issued	Wall Certificate Orders Processed
2003	3,046	1,765	7,695	941
2004	3,862	2,532	9,518	1,337

Case Processing and Operational Efficiency Initiatives

The Court has undertaken many initiatives to facilitate or expedite case processing, to achieve operational efficiencies, and to enhance service to the public. In Fiscal Year 2004, the following initiatives were undertaken to improve operations and case processing.

- The Court established a new list of attorneys to be appointed under the CJA, pursuant to its updated plan for furnishing representation to indigent criminal and juvenile appellants under the Criminal Justice Act (CJA), and an extensive application process. Approximately 70 well-qualified attorneys were selected from over 300 applicants. Re-evaluation of members of the panel of attorneys and consideration of new applicants will be undertaken in 2005.
- The D.C. Courts launched its own website in 2004. Previously, information on the D.C. Courts, including the Court of Appeals, was Internet accessible from the D.C. Bar's website, which was an invaluable service to the courts. With the launching of the D.C. Courts website – www.dccourts.gov – the Court of Appeals revised and enhanced the instructional materials available through the internet for litigants and for applicants for admission to the Bar, and continued internet access to the Court's rules, forms and opinions.
- In December 2004, the Court of Appeals enhanced sound clarity for litigants, judges, and the public by installing a computer-based, digital sound recording system in its courtroom. The new system improved quality recording of oral arguments which can be made available on compact disks.
- The Court enhanced courtroom accessibility for disabled attorneys and litigants in 2004. Furniture and equipment, such as microphones, were modified to accommodate lawyers in wheelchairs.

Several of the initiatives implemented during previous fiscal years follow:

- The Court actively participated in the strategic planning initiative undertaken by the D.C. Courts. This initiative, which includes extensive efforts to obtain information from litigants and court employees regarding the strengths and weakness of court operations/processes, resulted in the development of a comprehensive, 5-year strategic plan for enhancing court operations and services to the public. The Court has developed Management Action Plans (MAP) to identify, plan and implement measures to achieve the critical goals of the strategic plan.
- The Court developed and published for comment a comprehensive revision of its rules of practice. After consideration of all comments, the Court promulgated its new rules in December 2003, with a January 2, 2004 effective date.
- The Court developed and conducts annually a continuing legal education course on appellate practice for members of the D.C. Bar.
- The sua sponte expedition of appeals in cases involving adoption and the termination of parental rights to ensure prompt decisions in cases that affect the stability of the living environment of children who have been subjected to abuse and neglect.
- Annual training of the Court's Criminal Justice Act and Counsel for Child Abuse and Neglect bars, and the provision informational materials to the public on how to prosecute an appeal.

FY 2007 Request

In FY 2007, the Court of Appeals requests \$9,529,000 and 94 FTEs, an increase of \$331,000 or 4% above the FY 2006 enacted level. The requested increase of \$331,000 is to support built-in increases.

Table 3
COURT OF APPEALS
Budget Authority by Object Class

	FY 2005 Enacted	FY 2006 Enacted	FY 2007 Request	Difference FY 2006/2007
11 - Compensation	7,079,000	7,262,000	7,532,000	270,000
12 - Benefits	1,035,000	1,093,000	1,137,000	44,000
21 - Travel, Transp. of Persons	43,000	43,000	44,000	1,000
22 - Transportation of Things				
23 - Rent, Commun. & Utilities	87,000	87,000	89,000	2,000
24 - Printing & Reproduction	72,000	72,000	73,000	1,000
25 - Other Services	217,000	222,000	226,000	4,000
26 - Supplies & Materials	77,000	77,000	79,000	2,000
31 - Equipment	342,000	342,000	349,000	7,000
TOTAL	\$8,952,000	\$9,198,000	\$9,529,000	\$331,000
FTE	94	94	94	0

Table 4
COURT OF APPEALS
Detail, Difference FY 2006/2007

Object Class	Description of Request	FTE	Cost	Difference FY2006/2007
11 - Personnel Compensation	Current Positions WIGS	94	23,000	
	Current Positions COLA	94	247,000	
Subtotal				270,000
12 - Personnel Benefits	Current Positions WIGS	94	7,000	
	Current Positions COLA	94	37,000	
Subtotal				44,000
21 - Travel, Transp. of Persons	Built-in Increase		1,000	1,000
22 - Transportation of Things				
23 - Rent, Commun. & Utilities	Built-in Increase		2,000	2,000
24 - Printing & Reproduction	Built-in Increase		1,000	1,000
25 - Other Services	Built-in Increase		4,000	4,000
26 - Supplies & Materials	Built-in Increase		2,000	2,000
31 - Equipment	Built-in Increase		7,000	7,000
Total				\$331,000

Table 5
COURT OF APPEALS
Detail of Full-Time Equivalent Employment

	2005 Actual	2006 Enacted	2007 Request
JS-6	2	2	2
JS-7	3	3	3
JS-8	7	7	7
JS-9	3	3	3
JS-10	10	10	10
JS-11	41	41	41
JS-12	5	5	5
JS-13	2	2	2
JS-14	8	8	8
JS-15	2	2	2
JS-16	1	1	1
JS-17	1	1	1
Ungraded	9	9	9
Subtotal	94	94	94
JS salary	\$7,079,000	\$7,262,000	\$7,532,000
Total	94	94	94